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NOTICE OF ALLOWANCE AND FEE(S) DUE

23117 7590 03/24/2008

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER

ONUAKU, CHRISTOPHER O

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 03/24/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/629,905

07/30/2003

Michael S. Battaglia

2694-211

6233

TITLE OF INVENTION: PORTABLE DATA TRANSFER AND MASS STORAGE DEVICE FOR REMOVABLE MEMORY MODULES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	06/24/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

23117 7590 03/24/2008

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/629,905 07/30/2003 Michael S. Battaglia 2694-211 6233

TITLE OF INVENTION: PORTABLE DATA TRANSFER AND MASS STORAGE DEVICE FOR REMOVABLE MEMORY MODULES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1440 \$300 \$0 \$1740 06/24/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
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ONUAKU, CHRISTOPHER O 2621 386-117000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,905	07/30/2003	Michael S. Battaglia	2694-211	6233
23117	7590	03/24/2008	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			ONUAKU, CHRISTOPHER O	
			ART UNIT	PAPER NUMBER
			2621	
DATE MAILED: 03/24/2008				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1046 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1046 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/629,905

Examiner

CHRISTOPHER ONUAKU

Applicant(s)

BATTAGLIA ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments and Terminal Disclaimer filed 10/31/07.
2. ☒ The allowed claim(s) is/are 1-37 (now renumbered 1-22,26,23-25&27-37, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>10/31/07</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimer filed on 10/31/07 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent No. 6,658,202 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

2. Claims 1-37 are allowable over the prior art of record.

3. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the invention relates to data transfer and storage devices, including a hand-held, battery-powered, portable device for transferring data between, for example, a flash memory module used in conjunction with a digital camera or audio device and a mass-storage device.

The closest references Saito et al (US 6,256,063) teach an electronic still camera which uses a memory card, and an image signal processing apparatus which comprises a laptop computer which uses the electronic still camera and the memory card, a personal data terminal (PDA), and a host computer such as an electronic notebook, and

Endsley et al (US 6,005,613) teach the field of electronic photography, including a digital camera capable of interfacing with a computer.

However, Saito et al and Endsley et al fail to explicitly teach a portable, hand-held, digital camera picture image data transfer and repository device embodied in a housing connectable to both a removable memory module and a user's notebook or desktop computer and which is of a size which can be held in a user's palm, for use in transferring image data between a removable digital memory module and a user's computer, where the device further comprises a mass storage device operatively coupled to receive and store picture image data from a digital camera memory module inserted into the memory input port and for storing the image data, the mass storage device having at least one gigabyte of storage and being accessible for downloading the image data to a user's computer and processing circuitry for controlling the transfer of data stored in the digital camera memory module inserted into the memory input port to the mass storage device, the processing circuitry being operable responsive to a user's actuation of the control button to initiate a copy operation and to verify that the copy operation has been correctly performed, the processing circuitry being operable in response to a user input to change a name associated with the digital structure.

Regarding claim 11, the invention relates to data transfer and storage devices, including a hand-held, battery-powered, portable device for transferring data between, for example, a flash memory module used in conjunction with a digital camera or audio device and a mass-storage device.

The closest references Saito et al (US 6,256,063) teach an electronic still camera which uses a memory card, and an image signal processing apparatus which comprises a laptop computer which uses the electronic still camera and the memory card, a personal data terminal (PDA), and a host computer such as an electronic notebook, and Endsley et al (US 6,005,613) teach the field of electronic photography, including a digital camera capable of interfacing with a computer.

However, Saito et al and Endsley et al fail to explicitly teach a portable, hand-held, general purpose, digital transfer and repository device embodied in a housing connectable to both a removable memory module and a user's notebook or desktop computer and which is of a size which can be held in a user's palm, for use in transferring image data between a removable flash memory module and a user's computer, where the device further comprises a mass storage device contained within the hand-held housing and operatively coupled to receive and store data from the digital memory module, the mass storage device having at least one gigabyte of storage and being accessible for data transfer between the portable repository device and a user's computer, and a RISC-based processor contained within the hand-held housing for controlling the transfer of data stored in the digital memory module to the mass storage device, the RISC-based processor being operable in response to a user's actuation of the at least one user operable button to change a name associated with the digital structure.

Regarding claim 19, the invention relates to data transfer and storage devices, including a hand-held, battery-powered, portable device for transferring data between, for example, a flash memory module used in conjunction with a digital camera or audio device and a mass-storage device.

The closest references Saito et al (US 6,256,063) teach an electronic still camera which uses a memory card, and an image signal processing apparatus which comprises a laptop computer which uses the electronic still camera and the memory card, a personal data terminal (PDA), and a host computer such as an electronic notebook, and Endsley et al (US 6,005,613) teach the field of electronic photography, including a digital camera capable of interfacing with a computer.

However, Saito et al and Endsley et al fail to explicitly disclose a portable, hand-held, digital camera picture image data transfer and repository device embodied in a housing connectable to both a removable memory module and a user's notebook or desktop computer and which is of a size which can be held in a user's palm, for use in transferring image data between a removable digital memory module and a user's computer, where the device further comprises a mass storage device operatively coupled to receive and store picture image data from a digital memory module inserted into the memory input port and for storing the image data, the mass storage device having at least one gigabyte of storage and being accessible for downloading the image data to a user's computer, a RISC-based processor for controlling the transfer of data stored in the digital camera memory inserted into the memory input port to the mass storage device, the RISC-based processor being responsive to a user's actuation of the

control button to initiate a copy operation and to verify that the copy operation has been correctly performed, and the RISC based processor being operable in response to a user input to change a name associated with the digital data structure.

Regarding claim 28, the invention relates to data transfer and storage devices, including a hand-held, battery-powered, portable device for transferring data between, for example, a flash memory module used in conjunction with a digital camera or audio device and a mass-storage device.

The closest references Saito et al (US 6,256,063) teach an electronic still camera which uses a memory card, and an image signal processing apparatus which comprises a laptop computer which uses the electronic still camera and the memory card, a personal data terminal (PDA), and a host computer such as an electronic notebook, and Endsley et al (US 6,005,613) teach the field of electronic photography, including a digital camera capable of interfacing with a computer.

However, Saito et al and Endsley et al fail to explicitly disclose a portable, hand-held, digital camera picture image data transfer and repository device embodied in a housing connectable to both a removable memory module and a user's notebook or desktop computer and which is of a size which can be held in a user's palm, for use in transferring image data between a removable digital memory module and a user's computer, where the device further comprises a mass storage device operatively coupled to receive and store picture image data from a digital memory module inserted into the memory input port and for storing the image data, the mass storage device

having at least one gigabyte of storage and being accessible for downloading the image data to a user's computer, a RISC-based processor being operable to access information from diverse kinds of digital camera memory modules and for controlling the transfer of data stored in a digital camera memory inserted into the memory input port to the mass storage device, the RISC-based processor being responsive to a user's selection of a copy operation to initiate a copy operation and to verify that the copy operation has been correctly performed, the RISC based processor being operable in an image preview mode for controlling the display of digital camera image data to thereby enable a user to preview the digital camera image data, and the RISC-based processor being operable in response to a user input to change a name associated with at least one digital data structure associated with a flash memory digital camera storage device.

Regarding claim 33, the invention relates to data transfer and storage devices, including a hand-held, battery-powered, portable device for transferring data between, for example, a flash memory module used in conjunction with a digital camera or audio device and a mass-storage device.

The closest references Saito et al (US 6,256,063) teach an electronic still camera which uses a memory card, and an image signal processing apparatus which comprises a laptop computer which uses the electronic still camera and the memory card, a personal data terminal (PDA), and a host computer such as an electronic notebook, and

Endsley et al (US 6,005,613) teach the field of electronic photography, including a digital camera capable of interfacing with a computer.

However, Saito et al and Endsley et al fail to explicitly disclose a method of operating a portable, hand-held, digital camera picture image data transfer and repository device embodied in a housing connectable to both a removable memory module and a user's notebook or desktop computer and which is of a size which can be held in a user's palm, where the repository device including a housing of a size to be held in the palm of a user's hand and including at least one flash memory input port sized to receive a digital camera memory module storing at least one digital data structure, a mass storage device having at least one gigabyte of storage and operatively coupled to receive and store image data from a digital camera memory module inserted into the memory input port , a RISC-based processor, at least one user-operated button, and an LCD display for displaying digital camera image data, where the method further comprises initiating under the control of the RISC-based processor in response to a user's selection of a copy operation, the transfer of data stored in a digital camera module inserted into the memory input port to the mass storage device and changing a name of a digital data structure in response to a user operation.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Onuaku whose telephone number is 571-272-7379. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

COO

3/14/08.

/ROBERT CHEVALIER/

Primary Examiner, Art Unit 2621

March 17, 2008.